

## REMARKS

Claims 8-9 are pending in this application. Claims 8-9 are amended above. The amendments to recite "the forecast error that is the smallest", to recite "the selected forecast", and to replace "can be" with "are" are made according to the Examiner's suggestion in the telephone interview dated September 18, 2008, for which Applicant's undersigned representative thanks the Examiner.

In the office action, Claims 8 and 9 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Above, the amendments proposed in the office action have been made. The rejection is believed to thereby be obviated.

In the office action, Claims 8 and 9 have been rejected under 35 U.S.C. 101. Reconsideration and withdrawal of this rejection are respectfully sought, in view of the claim amendments above.

In view of the foregoing, it is requested that the application be reconsidered, that claims 8-9 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at 703-787-9400 to discuss any other changes deemed necessary in a telephonic or personal interview.

If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Deposit Account 50-0510 (IBM-Yorktown).

Respectfully submitted,



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